

COMPLAINT INVESTIGATION SUMMARY

COMPLAINT NUMBER:	2084.04
COMPLAINT INVESTIGATOR:	Jennifer Campbell
DATE OF COMPLAINT:	January 20, 2004
DATE OF REPORT:	February 18, 2004
REQUEST FOR RECONSIDERATION:	no
DATE OF CLOSURE:	March 29, 2004

COMPLAINT ISSUES:

Whether the Gary Community Schools violated:

511 IAC 7-27-2 by failing to provide the parent adequate notice of a scheduled case conference committee (CCC) meeting.

511 IAC 7-27-7(a) by failing to implement the student's individualized education program (IEP) as written.

FINDINGS OF FACT:

1. The Student is seventeen years old and is eligible for special education and related services as a student with an emotional disability.
2. On January 8, 2004, the School informed the Complainant (the parent) in person of the CCC meeting scheduled for January 9, 2004. The Complainant informed the School that she had not received any notice of the January 9, CCC meeting, prior to January 8. The morning of the conference, the Complainant received in her mailbox at work the Notice of Conference/Case Review Meeting form, dated December 16, 2003. The Notice simply stated that the Complainant and the Student were invited to attend the CCC meeting. The Complainant wrote on the form that she received the notice in her mailbox at work on the morning of January 9, 2004. The School states that they mailed the Notice of Conference form to the Complainant on December 16, 2003, yet no documentation exists to show that the Notice was indeed mailed to the Complainant.
3. The CCC decided during the March 14, 2003, IEP meeting, that the School would provide the Student with a personal laptop computer to use for all written assignments. The School acknowledges that a laptop computer was not provided to the Student.

CONCLUSIONS:

1. Finding of Fact #2 indicates the School failed to provide adequate notice of the CCC meeting to the Complainant. Therefore, a violation of 7-27-2 is found.
2. Finding of Fact #3 indicates the School failed to provide the Student with a laptop computer to use as written in the IEP. Therefore, a violation of 511 7-27-7(a) is found. The School states that as a corrective action they will provide the Student with a laptop computer to use at school and at home.

The Department of Education, Division of Exceptional Learners requires the following corrective action based on the Findings of Fact and Conclusions listed above.

CORRECTIVE ACTION:

The Gary Community Schools shall:

1. send a written memorandum to all appropriate staff with regard to the requirements of 511 IAC 7-27-2. Submit to the Division a copy of the memorandum and an assurance statement signed by staff affirming they have read the memorandum and understand the requirements of 511 IAC 7-27-2 no later than March 19, 2004.
2. provide a laptop computer for the Student to use and submit documentation showing that the Student has received a laptop computer from the School later than March 19, 2004.